



Date Allowed: October 5, 2005
Docket No.: 249831US2S DIV



COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/800,762

Applicants: Shinichi KIKUCHI, et al.
Filing Date: March 16, 2004
For: DIGITAL VIDEO SYSTEM
Group Art Unit: 2616
Examiner: ONUAKU, C.

ATTORNEYS AT LAW

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SIR:

Attached hereto for filing are the following papers:

**SUBMISSION OF CORRECTED TERMINAL DISCLAIMER AND
COMMENTS ON NOTICE OF ALLOWANCE, AND TERMINAL DISCLAIMER**

Our credit card payment form in the amount of **130.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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REGISTRATION NO. 40,073

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DOCKET NO: 249831US2 DIV

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : DATE ALLOWED: OCTOBER 5, 2005
SHINICHI KIKUCHI, ET AL. : EXAMINER: ONUAKU, C.
SERIAL NO: 10/800,762 :
FILED: MARCH 16, 2004 : GROUP ART UNIT: 2616
FOR: DIGITAL VIDEO SYSTEM :
:

SUBMISSION OF CORRECTED TERMINAL DISCLAIMER
AND COMMENTS ON NOTICE OF ALLOWANCE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

A corrected Terminal Disclaimer is submitted herewith to correct informalities in the Terminal Disclaimer filed August 17, 2005. The informalities were uncovered in Applicants' post allowance review of the application and are being timely and diligently corrected. No new matter is involved and no new issues are believed to be raised.

In addition, Applicants note that Notice of Allowance mailed on October 5, 2005 incorrectly lists Application Serial No. 10/800,762 as being part of the Terminal Disclaimer. 10/800,762 is the application serial number of the present application, and is not listed on the Terminal Disclaimer filed on August 17, 2005 or on the Terminal Disclaimer filed herewith. Applicants respectfully request a corrected Notice of Allowance.

In view of the prior indication of allowability, no further issues are outstanding, and entry of the present corrected Terminal Disclaimer is believed to be in order.

Respectfully submitted,

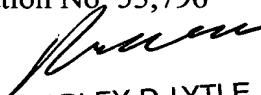
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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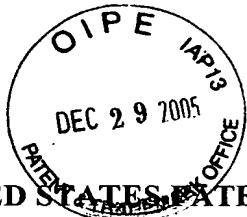
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Shinichi KIKUCHI, et al.
 SERIAL NO: 10/800,762
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 EXAMINER: ONUAKU, C.

TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS
 ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Kabushiki Kaisha Toshiba is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 013934, frame(s) 0056.

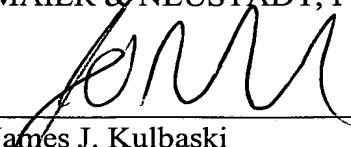
Kabushiki Kaisha Toshiba hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patent issuing from application Serial Nos. 10/417,214; 10/800,644; 10/800,654; 10/800,655; 10/800,661; 10/800,686; 10/800,689; 10/800,690; 10/800,760; 10/800,761; 10/800,851; 10/800,852; 10/800,853; 10/800,855; 10/800,856; 11/004,899; 11/004,900; 11/004,931; 11/005,002; 11/005,017; 11/005,022; 11/005,024; 11/005,026; 11/005,047; 11/005,048; 11/005,050; and 11/005,051, and for Patent No. 6,580,872, and hereby agrees that any patent so granted on said above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent issuing from application Serial Nos. 10/417,214; 10/800,644; 10/800,654; 10/800,655; 10/800,661; 10/800,686; 10/800,689; 10/800,690; 10/800,760; 10/800,761; 10/800,851; 10/800,852; 10/800,853; 10/800,855; 10/800,856; 11/004,899; 11/004,900; 11/004,931; 11/005,002; 11/005,017; 11/005,022; 11/005,024; 11/005,026; 11/005,047; 11/005,048; 11/005,050; and 11/005,051, and for Patent No. 6,580,872, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Kabushiki Kaisha Toshiba does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of any patent issuing from application Serial Nos. 10/417,214; 10/800,644; 10/800,654; 10/800,655; 10/800,661; 10/800,686; 10/800,689; 10/800,690; 10/800,760; 10/800,761; 10/800,851; 10/800,852; 10/800,853; 10/800,855; 10/800,856; 11/004,899; 11/004,900; 11/004,931; 11/005,002; 11/005,017; 11/005,022; 11/005,024; 11/005,026; 11/005,047; 11/005,048; 11/005,050; and 11/005,051, and for Patent No. 6,580,872, in the event that any said issued patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is

statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


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